

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

STATE OF OKLAHOMA, ex rel.  
W. A. DREW EDMONDSON, in his  
capacity as ATTORNEY GENERAL  
OF THE STATE OF OKLAHOMA and  
OKLAHOMA SECRETARY OF THE  
ENVIRONMENT C. MILES TOLBERT,  
in his capacity as the TURSTEE  
FOR NATURAL RESOURCES FOR  
THE STATE OF OKLAHOMA,

Plaintiffs,

vs.

05-CV-0329 GKF-SAJ

TYSON FOODS, INC., TYSON  
POULTRY, INC., TYSON CHICKEN,  
INC., COBB-VANTRESS, INC.,  
AVIAGEN, INC., CAL-MAINE FOODS,  
INC., CAL-MAINE FARMS, INC.,  
CARGILL, INC., CARGILL TURKEY  
PRODUCTION, LLC, GEORGE'S, INC.,  
GEORGE'S FARMS, INC., PETERSON  
FARMS, INC., SIMMONS FOODS, INC.,  
and WILLOW BROOK FOODS, INC.,

Defendants.

VIDEO DEPOSITION OF SHANON PHILLIPS  
TAKEN ON BEHALF OF THE DEFENDANTS  
JANUARY 17, 2008, BEGINNING AT 9:00 A.M.  
IN OKLAHOMA CITY, OKLAHOMA

REPORTED BY: Laura L. Robertson, CSR, RPR

1 WHEREUPON,

2 SHANON PHILLIPS,

3 after having been first duly sworn, deposes and says  
4 in reply to the questions propounded as follows,  
5 to-wit:

6 DIRECT EXAMINATION

7 BY MR. JANTZEN:

8 Q. Good morning.

9 A. Morning.

10 (Discussion held off the record)

11 A. Good morning.

12 Q. Can you state your name, please?

13 A. Shanon Phillips.

14 Q. Okay. Shanon, my name is Stephen Jantzen, I  
15 represent the various Tyson entities in litigation  
16 that's been filed by the Oklahoma Attorney General  
17 against poultry integrators in the Illinois River  
18 Watershed. And I'm going to ask you a few questions  
19 today.

20 Have you ever given a deposition before?

21 A. Yes.

22 Q. Okay. In what matters have you --

23 MR. LENNINGTON: Can I interrupt you for a  
24 second? First of all, I don't know if she swore the  
25 witness. You did?

1 understand you're still under oath; correct?

2 A. Yes.

3 Q. Has the Oklahoma Conservation Commission  
4 ever determined that there is an imminent and  
5 substantial endangerment to public health and human  
6 environment relating to waters of the Illinois River  
7 Watershed?

8 MR. LENNINGTON: Object to the form.

9 THE WITNESS: No.

10 Q. (BY MR. JANTZEN) Would you agree that there  
11 are locations in the Illinois River Watershed where  
12 poultry litter is land applied and where it does not  
13 contribute to water quality issues in waters in the  
14 Illinois River Watershed?

15 A. I would agree that there may be the  
16 potential for poultry litter to be land applied and  
17 not contribute.

18 Q. Are you, as you sit here today, are you  
19 aware of any poultry feeding operations in the  
20 Illinois River Watershed that are in violation of  
21 their Animal Waste Management plan?

22 A. I'm not aware of any, but that's not our  
23 responsibility to monitor that.

24 Q. Are you aware of any locations in the  
25 Illinois River Watershed where poultry litter is in